Report to Hyndburn Borough Council

by Stephen J Pratt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 14th December 2011

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE HYNDBURN CORE STRATEGY AND ACCRINGTON AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENTS

Documents submitted for examination on 19 May 2011
Examination hearings held on 20-29 September 2011

File Ref: PINS/R2330/429/5
## ABBREVIATIONS USED IN THIS REPORT

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AAP</td>
<td>Area Action Plan</td>
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<td>AHVA</td>
<td>Affordable Housing Viability Assessment</td>
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<td>AMR</td>
<td>Annual Monitoring Report</td>
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<td>BwD</td>
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<td>BwDCS</td>
<td>Blackburn with Darwen Core Strategy</td>
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<td>COMAH</td>
<td>Control of Major Accident Hazards</td>
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<td>CPO</td>
<td>Compulsory Purchase Order</td>
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<td>DCLG</td>
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<td>DPD</td>
<td>Development Plan Document</td>
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<td>dw/yr</td>
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<td>ELS</td>
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<td>Further Proposed Change</td>
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<td>Gypsies and Travellers</td>
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<td>Planning Policy Guidance/Planning Policy Statement</td>
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<td>SPD</td>
<td>Supplementary Planning Document</td>
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<td>WHLR</td>
<td>Whinney Hill Link Road</td>
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Non-Technical Summary

This report concludes that the Hyndburn Core Strategy and Accrington Area Action Plan Development Plan Documents provide an appropriate basis for the planning of the Borough over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet the legal and statutory requirements and ensure that the Core Strategy & Accrington AAP are sound. These can be summarised as follows:

Core Strategy:

- Set out the spatial strategy in the form of a strategic over-arching policy;
- Clarify and update the employment land strategy, including the policy for retailing and town centres;
- Clarify and update the housing strategy, including the overall housing provision, affordable housing, provision for gypsies and travellers and the policy for development of residential gardens/curtilages;
- Clarify and update the other thematic policies, including renewable energy and transport;
- Clarify and update the policies for proposed strategic employment and housing developments at Huncoat, including Whinney Hill Link Road;
- Amend the Key Diagram to show the Green Belt and distinguish Accrington as the principal centre;
- Amend and update the housing trajectory, along with consequential amendments to the appendices relating to implementation.

Accrington AAP:

- Clarify and update the policies and accompanying text to take account of the more recent Flood Risk Assessment, including a new policy dealing with flood risk and culverted watercourses, along with an updated plan showing flood zones;
- Clarify the policy for non-retail uses within shopping frontages;
- Amend the accompanying text to recognise the risks associated with former coal mining activities;
- Amend and update the appendices to clarify implementation and phasing;
- Update the plans, including detailed site boundaries.

All the changes recommended in this report are based on proposals put forward by the Council in response to points raised and discussed during the examination. These changes do not alter the thrust or basis of the Council’s overall strategy.
Introduction

i. This report contains my assessment of the Hyndburn Core Strategy (CS) and Accrington Area Action Plan (AAP) Development Plan Documents (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPDs are compliant in legal terms and whether they are sound. Planning Policy Statement PPS12 (¶ 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.

ii. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be sound plans. The basis for the examination is the submitted Core Strategy (May 2011) [CS_Sub1.1], together with the accompanying Schedule of Proposed Changes [CS_Sub2.2], and the submitted Accrington AAP (May 2011) [AAAP_Sub1.1], with its Schedule of Proposed Changes [AAAP_Sub.2.1]. Since these changes are embedded in the submission version of the plans, they do not require any further endorsement or recommendation.

iii. Hyndburn Borough Council (HBC) published a Schedule of Further Proposed Changes after submitting the CS and AAP to the Secretary of State [Post_2.10]. Updated Schedules of Further Proposed Changes to the CS and Accrington AAP were produced before and during the course of the hearing sessions [Post_2.26/4.14]. These Further Proposed Changes address other points raised in the representations and at the hearing sessions, and generally update the position. Composite schedules of Further Proposed Changes were published at the end of the hearing sessions [Post_5.8/5.9] and were subject to public consultation. As a result, HBC suggested some further minor changes to the Core Strategy. I have taken account of the responses in writing this report.

iv. Since the CS & Accrington AAP were submitted to the Secretary of State, the Government has issued several statements on national planning policy. On 23 March 2011, the Minister of State for Decentralisation issued a new Government policy entitled Planning for Growth1. On 25 July 2011, the DCLG issued the consultation draft of the National Planning Policy Framework (NPPF), along with associated documents2. However, as the draft NPPF may be subject to change, I have accorded its policies little weight in terms of examining the soundness of these DPDs. On 15 August 2011, the Secretaries of State for Communities & Local Government and Education issued a new policy statement on Planning for Schools Development3. I have taken account of the representations received on the implications of these new and draft policies, both in writing and as discussed at the hearing sessions.

v. This report focuses on those changes that are needed to make the DPDs sound, identified in bold in the report [CS/A]. All these changes have been put forward and agreed by the Council and are presented in Appendices A1 & A2, which are based on the Council’s published Schedules of Further Proposed Changes (FPCs) [Post_5.8/5.9/5.20]. None of these changes materially alters the substance of the plans and the policies, or undermines the sustainability appraisal and participatory processes undertaken.

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1 Ministerial Statement by Mr Greg Clark (Minister of State for Decentralisation) [dated 23/03/11]
3 Statement of Secretaries of State for Communities & Local Government and Education on Planning for Schools, with accompanying letter from the Chief Planning Officer [DCLG: 15 August 2011]
vi. Many of the other proposed changes put forward by the Council are factual updates, corrections of minor errors or other minor amendments made in the interests of clarity or in response to points raised in the representations. As these changes do not directly relate to soundness, they are not generally referred to in this report, but they improve the clarity and coherence of the CS & Accrington AAP. These changes are shown in Appendices B1 & B2, which are also based on the Council’s published Schedules of FPCs [Post_5.8/5.9]. The Council may also make any additional minor changes to page, figure, paragraph numbering etc and correct any spelling errors prior to adoption.

vii. The current Local Development Scheme (LDS) confirms that other DPDs and SPDs will be prepared when the CS is adopted. These include a Site Allocations DPD (SADPD), which could be undertaken on the basis of neighbourhoods.

viii. My approach to the Examination has been to work with the Council and other participants in a positive, pragmatic and proactive manner, with the aim of resolving any elements of unsoundness in the DPDs. This report firstly deals with the examination of key issues related to the Core Strategy, and then continues with the key issues related to the Accrington AAP. References to documentary sources are provided thus [ ], quoting the reference number in the Examination Library.

Assessment of Soundness

A. HYNDBURN CORE STRATEGY

Overview

1. The Hyndburn Core Strategy (CS) establishes the strategic planning framework for the development of the Borough in the period to 2026. It identifies key issues within the district, which it seeks to address through a vision and strategic objectives, reflecting the Borough’s priorities, after consultation and engagement with the local community and other stakeholders. The CS embraces the principle of sustainable development, as part of its aim for Hyndburn to become a distinctive, prosperous and vibrant area of Pennine Lancashire. Sustainable economic growth, including strategic employment sites, a sustainable transport network and sustainable patterns of development are key elements of the strategy. It also aims to provide sufficient housing to meet the Borough’s needs, helping to rebalance the housing market, in line with the Pennine Lancashire Housing Strategy, with most new housing being developed in accessible locations on previously developed land within the urban boundary.

2. The CS sets out a vision for the future of the area, with associated strategic objectives and a “balanced development strategy”. It then establishes a range of broad-based thematic policies reflecting the main strategic objectives, including economy, education, housing, health, environment and accessibility. A more detailed policy framework for the main towns and settlements of Hyndburn follows, including Accrington and key strategic development proposals at Huncoat and Whitebirk. Finally, it deals with monitoring and implementation, with details about the delivery of the strategy. The CS is supported by an extensive evidence base, including Topic Papers dealing with key elements of the strategy [CS_Supp4.1-4.4 & Post_2.4], along with Sustainability Appraisal (SA) at each stage of the plan-making process [CS_Sub1.5-1.8].
Regional Spatial Strategy

3. The Secretary of State has confirmed[^4] that Regional Strategies (including the North-West RSS) [CS_Supp1.1] will be revoked, as part of the Localism Bill, now enacted. However, a subsequent Court of Appeal judgement[^5] confirms that it would be unlawful for local planning authorities and inspectors to have regard to the proposal to abolish regional strategies. For as long as the Regional Strategy remains part of the development plan, the Core Strategy and Accrington AAP should be in general conformity with it. The Regional Planning Body (4NW) confirmed that the pre-publication version of the CS was in general conformity with the NWRSS. The former GONW raised some points about general conformity, but gave no view on the Revised Publication Draft of the CS.

4. Having examined the overall soundness of the CS, and in the light of the supporting evidence base, I consider that the CS, with the recommended changes, is in general conformity with the NWRSS, including the justification for making local amendments to the Green Belt boundary, which is addressed later in this report. Issues about the Partial Review of the NWRSS (relating to Gypsy & Traveller Provision) are dealt with later in the report.

5. In the Pennine Lancashire sub-region, there is an established framework of non-statutory strategic planning guidance, including the Pennine Lancashire Multi-Area Agreement (PLMAA) [CS_Supp2.1] and associated housing and economic strategies, along with a more recent Spatial Guide (PLSG) [Post_2.20]. The CS uses much of this evidence to support its underlying strategy, which is consistent with emerging national policy to ensure that plans properly address cross-boundary issues and consider their implications for adjoining areas.

Main Issues

6. Taking account of all the representations, supporting evidence, written statements and the discussion at the examination hearings, there are eleven main issues upon which the soundness of the plan depends.

VISION AND STRATEGIC OBJECTIVES

Issue 1 – Are the Vision and Strategic Objectives soundly based and appropriate for Hyndburn, consistent with national policies, reflecting community views and locally distinctive, and do they provide a sound basis for the overall spatial strategy and strategic policies in the Core Strategy?

7. The basis for the Vision and objectives of the CS is set out in the supporting statements [Post_2.19b]. The Vision presents a picture of what Hyndburn will look like by 2026, addressing the key issues facing the Borough over the period of the plan and identifying the main spatial components. The Vision is set within the context of Hyndburn being a key part of Pennine Lancashire, and is distinctive and specific to the Borough. The LSP was closely involved in the development of the Vision in the CS, which aligns well with the vision and outcomes of the Sustainable Community Strategy (SCS). It also reflects key elements of the Pennine Lancashire Multi-Area Agreement (PLMAA).

[^4]: Parliamentary statement by Rt Hon Eric Pickles (Secretary of State for Communities & Local Government) [dated 6 July 2010]
[^5]: Cala Homes (South) Ltd v Secretary of State for Communities & Local Govt [2011 EWCA Civ 639]
8. Six strategic objectives follow from the Vision, which are similarly clear, specific and locally distinctive to Hyndburn. They reflect key issues identified earlier in the CS and key themes in the SCS, where the strategy and policies will have an important role to play in delivering change, including the economy and housing. The relationship between the issues and the Vision, Objectives and the spatial strategy is clearly set out, with a series of diagrams throughout the CS illustrating how the policies will directly assist in meeting the specific objectives. Although some representors suggest a few changes to the precise wording of some of the objectives, these do not affect the soundness of the approach.

9. Consequently, the Vision and Strategic Objectives provide a sound, relevant and locally distinctive basis for the spatial strategy, reflecting community views and the SCS, and no further changes are needed in the interests of soundness.

**SPATIAL STRATEGY – A BALANCED DEVELOPMENT STRATEGY**

**Issue 2 – Is the Spatial Strategy soundly based, effective and deliverable, appropriate for Hyndburn, supported by robust and credible evidence, and consistent with national policy?**

10. In the submitted CS, the Balanced Development Strategy appears at the end of the section on the Vision and Strategic Objectives. Although it outlines most of the key elements of the spatial strategy, it is not set out in the form of an overall strategic policy, and some of its key elements are not covered or repeated in later policies in the CS. As a result of representations and my own queries, HBC prepared an amended spatial strategy in the form of a strategic policy, setting out the main components of the Balanced Development Strategy [CS15]. The inclusion of these nine key elements of the spatial strategy in an introductory policy would provide a sound foundation for the thematic and area-based policies which follow, and help to guide subsequent DPDs/SPDs. This policy should be included in the CS in order to ensure that the spatial strategy is clear and effective, and in the interests of soundness.

11. The spatial strategy has its foundation in the earlier processes of plan preparation, where six alternative strategies were considered, discussed with the local community and other stakeholders, and subject to SA. A general consensus emerged that a combination of housing market renewal, keeping new building within towns, focusing on jobs and a place to live, would deliver the Vision in the most effective way. Given the range of issues within the Borough, a balanced development strategy was seen as the most suitable way of realising the Vision, as confirmed by the ongoing and rigorous process of SA [CS_Sub1.5-1.8]. This approach fits well with the Government’s wider objectives for local planning and community involvement, and co-ordinates with the SCS.

12. The spatial strategy indicates the broad scale, distribution and general location of new development over the district, including housing, employment, town centres and other uses. It seeks to maintain the existing settlement pattern and hierarchy of centres, focusing most new development in the existing urban areas with priority given to brownfield land. It identifies Accrington and its townships as the main focus for development, along with other main centres. It aims to provide sufficient land to meet the Borough’s housing and employment needs, including strategic sites, while maintaining the general extent of the Green Belt, except for a few locally important changes. It also recognises the importance of the environment and green infrastructure, as well as accessibility to local services and the need for improvements in public transport.
13. The main elements of the spatial strategy are effective and deliverable, particularly in terms of providing new employment and housing. It balances the objectively assessed needs of the Borough with the future potential supply of land, recognising identified development, economic and other constraints. It also reflects the considerable amount of work being undertaken on housing and employment land supply, including strategic sites, as well as key elements of the overall vision and strategic objectives. There is sufficient basic information about the overall scale and location of development, supported by specific policies in the CS. It is based on an extensive evidence base, including that related to Pennine Lancashire and its associated PLMAA and economic and housing strategies. Accompanying evidence in the SHLAA [CS_Supp3.13-3.16] and ELS [CS_Supp3.10], along with Topic Papers and other studies, help to demonstrate the effective delivery of the strategy.

14. The spatial strategy reflects key elements of national/regional policy and sub-regional initiatives, including the approved NWRSS and the objectives of the PLMAA and PLSG [CS_Supp2.1/Post_2.20]. It is also consistent with the strategies of adjoining boroughs, including Blackburn with Darwen, addressing connectivity and cross-boundary issues. The spatial strategy acknowledges its wider implications, many of which are identified in the PLMAA and associated strategies. These include the need for strategic employment and housing sites, high value employment, high quality housing with a more balanced housing market, and focusing investment in key regeneration areas, with improved connectivity, whilst recognising Green Belt and other development constraints.

15. The spatial strategy incorporates a sufficient degree of flexibility to respond to a variety of changing circumstances, by ensuring the provision of a sufficient quantity, quality and choice of land for employment, housing and other uses, without any restrictions on phasing or timing of development, proactively working with developers and other stakeholders on key development sites. Viability is recognised as being a key issue, particularly for the development of the strategic sites and the provision of affordable housing. The need to safeguard existing employment sites is supported by the ELS, but allowing further enabling development on all sites might weaken their key employment role. Reflecting the latest draft NPPF, HBC acknowledges the positive role of the planning system in facilitating the development that is needed in its area.

16. The spatial strategy is accompanied by a Key Diagram, which illustrates its main elements. In response to some criticisms about its content, HBC suggests showing the general extent of the Green Belt and distinguishing Accrington as the principal town centre. These changes [CS16] are needed to ensure that the Key Diagram is complete, by identifying one of the main constraints to development and the principal centre, and in the interests of soundness. With these changes, and the expression of the Balanced Development Strategy in the form of an over-arching strategic policy [CS15], the spatial strategy is clearly expressed, effective and deliverable, and is supported by an extensive, robust and credible evidence base. As such, it provides a sound basis for the thematic and area-based policies that follow.
ECONOMY AND EMPLOYMENT

Issue 3 – Are the strategy and policies for the economy and provision of employment land soundly based, effective, deliverable and appropriate for Hyndburn, supported by a robust, credible and up-to-date evidence base, and consistent with national policy?

17. The strategy for the economy and employment is part of a wider package of measures seeking to provide more opportunities for everyone to access improved economic opportunities and support the local economy and higher wage employment, a key objective of the CS. The four main elements of the strategy seek to identify strategic employment sites, provide sufficient employment land, protect existing employment sites, and deliver strong and vibrant town centres. This strategy aligns with the NWRSS, reflects national policy in PPS4 (EC1.3/2.1) and helps to deliver key elements of the PLMAA & Economic Strategy/PLSG [CS_Supp 2.1/2.4/Post_2.20], as confirmed in the Economy Topic Paper and other evidence [CS_Supp4.1/Post_2.19d].

Future employment provision (Policy E1)

18. The NWRSS includes no district-based provision levels for employment land. The basis for the overall level of employment land provision in the CS stems from the 2008 Employment Land Study (ELS) [CS_Supp3.10]. This set out two scenarios for future provision, based on labour demand and past take-up of employment land over the 15-year period to 2021. HBC selected the latter, more realistic, evidence-based option, adopting a positive approach to provide further opportunities for good quality, modern employment development. This will contribute to the key objectives of strengthening the local economy and Pennine Lancashire’s wider economic objectives, enhancing Hyndburn’s portfolio of employment sites. Rolling forward this provision to 2026 and allowing for the shortfall between 2004-2009 establishes an overall provision level of about 58ha (2011-2026). This figure is not challenged and represents a realistic, justified and soundly-based provision level. Proposed amendments to Policy E1 and the accompanying text clarify and update the position [CS19-20].

19. This level of provision is deliverable, as shown in the estimates of employment land supply and future provision. Latest figures indicate that about 30ha of employment land (formerly allocated in the HBLP) are available, which along with updates, proposed extensions and strategic sites proposed in the CS (including part of Huncoat and Whitebirk), total about 52ha of employment land. The SADPD will address the additional employment land needed to meet the overall target, in line with the spatial strategy. HBC confirms that the recent call for potential employment sites indicates that there is more than sufficient potential land to meet this modest shortfall.

20. Policy E1 clearly sets out the total amount of future employment land provision, and the spatial strategy indicates the broad location of future employment development, which would be largely within or adjoining the existing urban area on previously developed land or on greenfield sites. The CS does not apportion future employment development to specific areas of the Borough and there is no specific control over phasing or timescale. However, details of the phasing and delivery of key sites are set out in appendices to the CS and in the Infrastructure Topic Paper [CS_Supp4.4]. This approach provides sufficient flexibility, meeting the quantitative and qualitative employment land needs of the Borough, as well as contributing to the wider economic objectives of Pennine Lancashire and providing sufficient strategic guidance and spatial direction for
subsequent DPDs. It is also consistent with national policy in PPS4 and the more recent statement on Planning for Growth, by promoting sustainable development, economic growth, regeneration and economic recovery, and maintaining a flexible and responsive supply of land. Moreover, it recognises the economic, environmental and social benefits of growth, and provides a positive approach to business needs. Consequently, this strategy represents an effective, justified and soundly based framework to deliver the economic growth required by Hyndburn and this sub-region.

Protection, modernisation and development of existing employment land (Policy E2)

21. Policy E2 seeks to protect existing employment sites which are suitable for continued employment use. Once an existing employment site is lost to another use, it is not available for employment use, and its loss could impact on the overall strategy, by needing to identify replacement land. Moreover, it is important to safeguard suitable land for smaller-scale “traditional” employment uses in the interests of local businesses, as well as modern business parks.

22. The ELS assessed over 70 existing employment sites, assuming that the main business parks and industrial estates would remain in employment use. It identified “good” sites for long-term retention, “adequate” sites currently in employment use that might have potential for other uses in the longer term, and “poor” sites that were no longer suited to modern employment use. This approach is broadly in line with national policy in PPS1 (¶ 27) and PPS4 (EC1.3d/2.1h). The existing business parks and major industrial estates are listed in the CS, and the SADPD will define their detailed boundaries and identify other existing employment sites. Other policies address other employment uses, such as retail, leisure, offices, cultural and services.

23. Policy E2 also sets out the criteria for considering proposals for alternative uses on existing employment sites, depending on whether they are “good” or “adequate” sites. These include the impact on residential amenity and the environment, future demand, and the viability of retaining buildings of historic/architectural value, in line with PPS1 (¶ 18) and PPS5. The main concern relates to the requirement to demonstrate that there is no current or likely future demand for the site/premises, including a marketing period of at least 18 months, as stated in the supporting text. However, there is a need for the site to be properly marketed over a reasonable length of time to assess the likely potential demand for the site or premises for any type of employment use. This requirement does not apply to “poor” sites, and HBC confirms that there is sufficient flexibility to reduce this period in appropriate circumstances. The DMDPD may include a more detailed policy carrying forward this approach. These requirements would ensure that the site had the necessary market exposure and that genuine attempts had been made to market the site for employment uses without being unduly onerous or seriously delaying the provision of alternative uses. This seems to be a reasonable, realistic and soundly-based approach, which is not inconsistent with current national policy and can be reviewed, if necessary, when the draft NPPF is finalised.

24. There is some concern that Junction 7 Business Park is specifically safeguarded as an employment site. This is an established employment area, readily accessible from the M65 (J7), which is referred to in the ELS and highlighted in the PLSG for redevelopment to provide modern floor space. The detailed

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6 Ministerial statement by Greg Clark, Minister of State for Decentralisation [23 March 2011]
boundary of the protected employment site will be determined in the SADPD, which could take account of the recent planning application for a modern business park, along with associated development (including housing, hotel and ancillary uses) on this site. HBC confirms that such a proposal need not be inconsistent with the general principle of protecting this key site principally for employment uses, which is entirely appropriate and soundly based.

Retail and town centre development

25. A key element of the economic strategy is to create thriving town centres, reflecting the SCS and the objectives of national policy in PPS4. However, as submitted, the CS contains no Borough-wide strategic policy addressing retail and town centre development. Rather, it establishes the role and hierarchy of individual centres, along with appropriate town centre uses, in later area-based policies (Policies A2, A3, GH2 & R2) and develops more detailed policies for Accrington town centre in the AAP. Nevertheless, it does represent a missing element in the overall strategic framework of the CS.

26. In response, HBC proposes to indicate the hierarchy of centres in the proposed spatial strategy policy and confirm the role and status of the centres in Policy E1 [CS19]. Additions to the supporting text also explain that much of the further retail capacity for comparison and convenience retail provision identified in the 2005 Retail Study [CS_Supp3.11] has now been taken up, particularly in Accrington and Great Harwood [CS21], as confirmed in the Economy Topic Paper and other statements [CS_Supp4.1/Post_2.19d]. These additions would ensure that the strategic policy for town centres and retailing is adequately set out, effective and justified, having regard to national policy in PPS4, and ensure that this key element of the strategy is soundly based.

27. The basis for the role and status of most of Hyndburn’s centres is set out in the 2005 Retail Study & Economy Topic Paper, and is confirmed in more recent retail assessments undertaken for individual retail developments and in regular town centre health checks, in line with PPS4 (EC3.1). Although the Retail Study assessed the need for new retail development in the Borough’s main centres, it only covered the period up to 2015. HBC confirms that the next review of the CS will update the retail assessment. Most of the retail assessments required by current national policy in PPS4 (EC1.3-1.4) have been addressed in the Retail Study, ELS and supporting evidence. More detailed work on specific sites and boundaries of the centres and retail areas, along with the need for other town centre uses (including leisure), as envisaged in PPS4 (EC3.1/4.1-4.2/5.1-5.6), have been, or will be, undertaken in the Accrington AAP & SADPD.

28. However, as submitted, the CS gives no indication of the threshold for retail impact assessments for edge/out of centre proposals, as indicated in PPS4 (EC3.1d). HBC has little evidence to justify a locally determined threshold, and confirms that the national threshold of 2,500 sq m would therefore apply [CS21], but this issue may be reconsidered in the SADPD/DMDPD.

29. With these amendments, the CS would be consistent with national policy in PPS4 and provide sufficient strategic guidance and spatial direction for new retail and town centre development, and thus be sound. The position on office development and the sequential approach can be reviewed, if necessary, when the draft NPPF is finalised.
HOUSING

Issue 4 – Does the Core Strategy make appropriate provision for the effective delivery of new housing in Hyndburn, including the overall provision of new housing, the scale and distribution of new housing growth, affordable housing and provision for gypsies and travellers, having regard to national policy, and is it fully justified and supported by an up-to-date, credible and robust evidence base?

30. A key aim of the CS is to provide for a greater choice and quality of housing which contributes to a more balanced housing market. This reflects key elements of the PLMAA, as part of achieving a transformation in the provision of new housing envisaged by the Market Progression Model in the Housing Strategy [CS_Supp2.3/Post_2.4h]. It recognises the need to achieve a balance between housing renewal and growth and to provide a strong and balanced housing market, in line with the SCS. The four main elements of the strategy seek to provide an appropriate amount of new housing, deliver a mix of housing that achieves a better balance, deliver affordable housing which meets identified housing needs, and provide a balance between housing renewal and greenfield development which supports economic growth and widens the housing offer. This strategy aligns with the NWRSS, reflects national policy in PPS3 and helps to deliver key elements of the PLMAA & Housing Strategy/PLSG, as confirmed in the Housing Topic Paper and other supporting evidence [CS_Supp4.3/Post_2.19e/i].

Overall provision of housing

31. As updated, the CS proposes an overall level of housing provision of 3,200 dwellings (2011-2026). As a starting point, the CS uses the annual housing provision level in the NWRSS (189 dw/yr), rolled forward to 2026 and including an allowance for the shortfall in housing provision between 2003-2011. This level of provision is similar to that identified in the 2009 SHMA (200 dw/yr) [CS_Supp3.17], based on household formation, and is net of demolitions and clearance. This approach is consistent with NWRSS Policy L4 (Table 7.1). The latest 2008-based household projections indicate a 12% increase (3,000) in households in Hyndburn (2008/11-2026/33), equating to about 160-200 dw/yr. The proposed level of housing provision in the amended CS amounts to about 213 dw/yr, which is slightly above the range of provision likely to be needed. By taking forward the NWRSS housing provision figures (underpinned by their endorsement as part of the EIP process), and testing them against the more recent SHMA and latest household projections, the approach accords with the guidance in PPS3 (¶ 33) and provides a sound, robust and up-to-date basis for the proposed level of housing provision. This figure is not seriously challenged, and fully meets the objectively assessed housing requirements of the Borough.

32. This level of provision is also likely to be deliverable in the period to 2026. The 2010 SHLAA [CS_Supp3.13-3.16] indicates that permitted, allocated and potential new sites could deliver at least 3,700 dwellings over the three 5-year periods of the plan, and the AMR [CS_Supp3.5] confirms that there is currently a surplus in terms of providing a 5-year supply of deliverable housing sites. In addition to the major housing site at Huncoat, the SADPD will identify specific sites to meet the required housing target. HBC also confirms that there would be little difficulty in increasing the 5-year supply of housing by 20%, if this requirement forms part of the final NPPF. These estimates take no account of windfalls, which in the past have averaged over 100 dw/yr, and would more
than make up for the likely number of demolitions, particularly with the recent downturn in housing renewal programmes. Both the SHMA & SHLAA have been prepared in line with national guidance and have taken account of current housing market and economic conditions, along with the recent winding-down of housing renewal programmes.

33. The CS clearly sets out the total amount of future housing provision, and the spatial strategy indicates the broad location of future development and its distribution to particular areas, which would be largely within or adjoining the existing urban area on previously developed land or on greenfield sites. In response to concerns, HBC confirms that new housing development may take place on land both within and adjoining existing urban areas, including the former Areas of Special Restraint identified in the HBLP [CS25]. There is no specific phasing of new housing development, but there is a commitment to maintain a 5-year supply and a revised housing trajectory is included in Appx 9 [CS65]. Further details of the phasing and delivery of key housing sites are set out in appendices to the CS and in the Infrastructure Topic Paper, and will be monitored through the AMR. This approach would provide sufficient strategic guidance and spatial direction for subsequent DPDs and development decisions. It would also provide sufficient flexibility, meeting the quantitative and qualitative needs of Hyndburn’s housing market, as well as meeting the wider housing objectives of the PLMAA and its Housing Strategy.

34. However, as submitted, the CS contains no separate strategic policy which establishes the overall scale of new housing provision; this is indicated in each of the area-based policies (Policies A1, GH1 & R1). In response, HBC agrees to include the overall housing provision figure in Policy H1, along with a commitment to maintain a 5-year housing supply, with further updated information clarifying the basis for this level of provision [CS26-27]. By clearly establishing and justifying the overall provision figure in the relevant strategic policy, these proposed changes would improve the clarity of the plan, and ensure that it is adequately justified, effective and thus sound.

Housing mix (Policy H1)

35. A key issue for Hyndburn is the prevalence of small terraced houses which make up over 50% of the Borough’s housing stock. Policy H1 sets out the proposed mix of housing types, with the aim of rebalancing the housing stock to meet the needs of households over the plan period, based on evidence in the SHMA and 2008 Housing Needs Assessment, and supported by the PLMAA & Housing Strategy. This accords with national guidance in PPS3 (¶ 21/24) and NWRSS Policies L2 & L3. HBC confirms that the policy will be interpreted flexibly as a guide for the overall plan period, and focused on larger housing sites to avoid it being unduly prescriptive. The effectiveness of the policy will be monitored over the plan period, to ensure that its objectives are being met. This approach is fully justified by evidence and is soundly based.

36. The spatial strategy gives priority to developing brownfield sites within the urban area, but also allows greenfield sites to be developed. The NWRSS sets a target of 65% for brownfield sites, but in the past, Hyndburn has achieved at least 90%. In the future, this is likely to be in excess of 65%, even given the amount of new housing anticipated on greenfield sites. This approach supports the need to rebalance the housing market, particularly the provision of larger, higher quality homes to support economic growth. It would also support regeneration efforts by diversifying the mix of housing in the inner urban areas.
37. The main concern relates to HBC’s policy of resisting the development of land within the garden/curtilage of residential properties. As submitted, the CS (¶ 4.34) includes a total prohibition of this form of development which, in a proposed change, was to be included in Policy H1. HBC members have fought strongly to resist the development of residential gardens, as shown in the adopted interim policy [Post_2.6]. This approach is supported by evidence in the SHMA, which confirms the need to retain larger properties, and reflects recent national policy7 which removed residential gardens from the category of “previously developed land”. However, although the policy reflects local circumstances, it is drafted in an unduly prescriptive way, which totally precludes this form of development and does not allow any such proposals to be considered on their merits.

38. In response, HBC proposes to indicate that there will be a “strong presumption” against this form of development and to address this matter in more detail in the DMDPD [CS26/28], which would largely overcome the concerns. In any event, such development is unlikely to make a significant contribution to future housing supply, particularly since it has made only a limited contribution in the past and the SHLAA excluded sites of less than 0.2ha in size. The amended policy would not preclude ancillary development, such as sheds and garages. The removal of the national indicative minimum density is likely to have little impact, since the SHLAA assumed a range of densities relating to the type, location and characteristics of each site, taking account of marketing issues.

39. Consequently, as amended, Policy H1 provides an effective, justified and soundly based approach to the provision of new housing in Hyndburn.

Affordable Housing (Policy H2)

40. Policy H2 requires developments of 15 or more dwellings to make provision for 20% affordable housing, subject to the availability of grant aid and economic viability. This target is taken directly from the SHMA and is supported by the 2008 Housing Needs Assessment and the 2009 Affordable Housing Viability Assessment (AHVA) [CS_Supp3.18/3.20-3.22]. The SHMA identified a gross need for affordable housing which was significantly more than this level of provision, but also took into account the contribution of low cost private housing and the practicality and viability of providing affordable housing. In Hyndburn, the viability of housing represents a significant constraint for most sites, particularly for affordable housing. The AHVA found that a significant proportion of affordable housing would not be viable without grant aid and that the 20% target would not be deliverable on most sites without grant aid. However, the 20% target represents a suitable and realistic initial level of affordable housing provision, subject to site-specific viability and grant funding, and is the same as the target specified in the adjoining Blackburn with Darwen CS.

41. PPS3 (¶ 29) expects the overall target for the amount of affordable housing to be specified in plans; HBC confirms that the 20% target level equates to about 38 units/yr [CS29] (including market/RSL provision), which compares with recent provision of between 12-30 dw/yr. The DMDPD will indicate the type of affordable housing to be provided (size/types of dwellings and proportions of social-rented/intermediate housing). The CS (¶ 4.35) confirms that affordable housing should usually be provided on site, and sets out the circumstances when other provision is to be made. This will be addressed in more detail in the

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7 Ministerial statement by Greg Clark MP on previously developed land and density [DCLG: 9 June 2010]
DMDPD/Affordable Housing SPD, which will also give more detail about the delivery of affordable housing. HBC confirms that the total affordable housing need identified in the SHMA & Housing Needs Assessment cannot be delivered through planning gain, and needs to be complemented by other housing-led development (eg. RSL schemes) financed through grant funding. The delivery of affordable housing will increasingly have to rely on grants to provide gap funding for both market housing and affordable housing schemes. This approach recognises the particular constraints to the provision of affordable housing in Hyndburn and broadly accords with national guidance in PPS3.

42. The main concern relates to the site size threshold for affordable housing. Hyndburn and Blackburn with Darwen share the same housing market area, covered by a joint Housing Needs Assessment [CS_Supp3.19], and the same consultants undertook the AHVA for both districts. The adopted BwDCS has no site threshold for affordable housing; provision/contribution is required for all housing sites, regardless of size, and BwDBC is concerned that both districts should apply a consistent approach to requiring affordable housing.

43. Although some consistency may be desirable, the threshold should be based on relevant evidence for the particular district. The Hyndburn AHVA confirms that there is no economic viability justification for applying a site size threshold for affordable housing, and there are key differences between Hyndburn and BwD; Hyndburn is much smaller than BwD and the annual overall and affordable housing requirements are much lower. More particularly, the viability assessment for each district is very different, BwD having a stronger housing market with better viability for both market housing and affordable housing sites. Hyndburn has a much weaker housing market; virtually no sites examined were viable to the extent that they could provide any affordable housing without grant support, and few sites had any positive residual land value with or without any affordable housing. Moreover, the AHVA did not examine any sites in Hyndburn below the national minimum threshold size.

44. Consequently, there are effectively two options: to apply the national minimum threshold or to have no threshold. HBC has adopted the minimum site size threshold set in PPS3 because there is no evidence to suggest that a lower or any other threshold would be viable, practicable or justified, and wishes to avoid placing unnecessary burdens on developers. There is little to suggest that having a lower threshold in Hyndburn would result in more affordable housing being provided; on the contrary, it could act as a disincentive to developers, including the need to undertake a viability assessment for all sites, regardless of size. Moreover, there is little evidence to show that applying a different affordable housing threshold in Hyndburn would unbalance or harm the housing market in BwD or result in any disparities in the provision of affordable housing. In the future, the situation can be monitored through the AMRs of the respective boroughs. In these circumstances, the approach adopted by HBC seems to be fully justified, particularly in terms of viability and housing market conditions, and is consistent with national guidance in PPS3.

45. There is also some concern about the requirement for developers to pay for an independent site-specific assessment of viability. This is somewhat onerous and inequitable, and HBC proposes to delete this requirement and extend the period for the commencement of the development [CS30], in order to overcome this shortcoming. With these proposed amendments, the policy framework for providing affordable housing is fully justified, effective, in line with national policy, and soundly based.
Gypsies & Travellers (Policy H3)

46. Policy H3 makes provision for gypsies and travellers by protecting existing authorised sites for gypsies, travellers and travelling showpeople and by identifying land at Sankey House Farm to meet future needs. At present, there are over 100 pitches for gypsies and travellers within Hyndburn, and HBC is particularly concerned that such provision should be more equitably distributed across all districts in the North-West. The situation is explained in more detail in the Housing Topic Paper and other supporting evidence [CS_Supp4.3; Post_2.19e/i;4.19]

47. The current NWRSS does not include any specific G&T provision for individual districts, but the GTAA [CS_Supp1.5] considered need and demand for G&T pitches on a basis which is heavily skewed towards a few districts (including Hyndburn) where provision currently exists. The EIP Panel examining the original NWRSS recommended that further work should be undertaken to assess the need for G&T accommodation at regional level. A draft policy was proposed as part of a Partial Review of the NWRSS [CS_Supp1.2/ Post_4.19] based on the overall figures in the GTAA that had been undertaken. This was subject to an EIP in March 2010, but the process was not completed before the Government announced the revocation of Regional Strategies. The amended G&T provision levels for Hyndburn were endorsed in the unpublished EIP Panel report [Post_4.2], including further provision of 10 permanent and 5 transit residential pitches in Hyndburn up to 2016. HBC also has an Interim Policy [Post_4.11] to protect existing G&T sites and make further provision in line with the NWRSS Partial Review.

48. The figures supporting the most recent proposed G&T provision levels does seem to represent a step forward in making adequate provision and reducing previous inequalities. Weight should therefore be given to these more recent figures based on the Partial Review of the NWRSS, which represent a more equitable distribution of G&T provision. HBC has already provided a substantial number of G&T pitches within its district, and Policy H3 aims to not only protect existing provision, but also make additional provision at a specific location, fully meeting the most recently proposed provision levels. Now that the Government has abolished the Regional Planning Bodies, it is unlikely that any further regional work on G&T provision will be carried forward. The Government has also announced that Circulars 01/2006 & 04/2007 will be revoked and the level of G&T pitch provision should be determined locally. Given this situation and the particular circumstances facing Hyndburn, the proposed approach provides a policy framework to ensure that reasonable, appropriate and realistic provision is made for gypsies and travellers during the plan period.

49. However, HBC proposes to amend Policy H3 and the accompanying text to protect existing permanent sites, specify the actual level of provision being made, and confirm that specific G&T sites and the criteria for considering applications for pitches beyond 2016 will be included in the SADPD/DMDPD [CS31-32]. This will provide sufficient strategic guidance for subsequent DPDs, and ensure that the CS is consistent with national policy, effective and sound.

8 Ministerial statement by Rt Hon Eric Pickles (Secretary of State for Communities & Local Government) [DCLG; 29 August 2010]
OTHER THEMATIC POLICIES

Issue 5 – Does the Core Strategy provide an appropriate, effective and soundly based framework for the provision of a range of public facilities and services, high quality design, green infrastructure, protection of the natural and built environment, biodiversity and environmental amenity, sustainable development and climate change, and improved accessibility, which is fully justified and consistent with national policy?

50. The CS includes other thematic policies covering education, health, environment and accessibility, which are not seriously challenged in the representations. **Policy ED1** recognises the need to support accessible, high-quality education facilities and facilitate their development by establishing a presumption in favour of this form of development, in line with one of the key objectives of the CS & SCS. This will provide a positive framework for later work on specific sites and education developments in the SADPD & DMDPD. Since the policy was drafted, there have been changes to LCC’s *Building Schools for the Future* programme, following its cancellation by the Coalition Government. However, schools and colleges are likely to see changes over the period of the plan, and Policy ED1 provides a positive context to support such developments, which is fully in line with the recent Government policy on Planning for Schools.

51. **Policies HC1-HC4** contribute to improving the health of Hyndburn residents. They require major housing developments to contribute to the provision of good quality, accessible, multi-functional greenspace, address all relevant types of leisure, health and cultural facilities (including tourism), and cover the design of residential roads with the aim of reducing traffic speeds to 20mph (as envisaged in the LTP and its Draft Implementation Plan [Post_2.30a/b]). They also set out the strategic context for requiring planning obligations related to infrastructure. These policies are consistent with existing national policy and emerging policy in the draft NPPF, and will be implemented and developed further in the SADPD & DMDPD.

52. **Policies Env1-Env6** help to create a valued urban and rural environment, including providing a multi-functional greenspace network, securing opportunities for environmental enhancement, conserving and enhancing the character and quality of Hyndburn’s urban and rural environment and the various landscape character types, and addressing sustainable development, climate change and renewable energy. These policies are consistent with national policy in PPS1, PPS5, PPS7, PPS9, PPG17 & PPG22 and emerging policy in the draft NPPF, and will be implemented and developed in further detail in the SADPD & DMDPD. Further changes are proposed to the text accompanying Policy Env5 to clarify and update the position on renewable energy [CS34-35].

53. **Policies T1-T3** help to provide easy access to good quality services and facilities, reflecting key objectives of the CS & PLMAA. They aim to improve connectivity by road and rail, safeguard and extend cycle and footpath networks and support improvements to the main road network. Several key road, rail and cycle network improvements are referred to in the accompanying text and Infrastructure Topic Paper [CS_Supp4.4], reflecting the latest LTP and *Pennine Reach* project. Specific policies and proposals will be developed further in the SADPD & DMDPD. Apart from some junction improvements to the M65 (J6) & A56 (Burnley Road) and the provision of the Whinney Hill Link Road, no major

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9 Policy statement on Planning for Schools Development (Secretaries of State for Communities & Local Government and Education) [DCLG; 15 August 2011]
road improvements are needed to implement the strategy. The Highways Agency/Highways Authority were closely involved in the preparation of the CS and its strategic proposals, and have no outstanding concerns. HBC confirms that the CS intends to apply the sequential approach to new development, advocated by HA\(^{10}\) [CS37]. HBC also confirms that the traffic/transport impact of strategic proposals at Whitebirk and Huncoat has been examined, and that the cumulative/site-specific impact of other developments will be addressed in the SADPD/DMDPD and in detailed Transport Assessments [CS36/39].

54. With the various further proposed changes to the policies and supporting text in this section of the CS, it will be effective, deliverable and soundly based.

**AREA-BASED POLICIES**

**Accrington & Townships**

**Issue 6 – Does the Core Strategy provide an appropriate, effective and soundly based framework for Accrington and its townships, including:**

- the amount and proportion of new housing development;
- the role and status of Accrington town centre and other local centres;
- employment development at Brookside Business Centre; and
- strategic employment and housing development at Huncoat

55. The spatial strategy aims to maintain the existing settlement pattern and hierarchy of centres, and identifies Accrington and its associated townships (Clayton-le-Moors, Church, Oswaldtwistle & Huncoat) to accommodate most of the new development in the Borough. Policy A1 confirms that 75% (2,400 dwellings) of the Borough’s total housing provision will be developed in Accrington and its townships. These towns form the largest urban area in Hyndburn, with over 75% of its population, including the largest town centre and an extensive range of facilities and services which are readily accessible to most of the Borough’s population. The area also includes key regeneration sites and offers the greatest potential for accommodating new housing without encroaching into the Green Belt (apart from at Huncoat).

56. A key objective in the regeneration areas is to diversify the housing offer, focusing on rejuvenating existing housing, but there are also opportunities for new development on existing/redevelopment sites, as shown in the Accrington AAP and East Accrington SPD, and along the Leeds-Liverpool Canal corridor. Both the ELS & SHLAA identify a wide range of opportunities for employment and housing development, with the latter identifying potential sites for almost 2,400 new dwellings within Accrington and its townships (including over 380 already committed), to be addressed in more detail in the SADPD. In addition, 400 new dwellings at the strategic housing site at Huncoat (see later) would contribute to the overall provision of new housing in this locality.

57. The spatial strategy identifies Accrington town centre as the principal centre providing for the Borough’s key services, retail and town centre needs. This is directly reflected in Policy A2, which carries forward a similar designation in the HBLP. Its role and status in the hierarchy is supported by the Retail Study [CS_Supp3.11/3.12], which indicates that the town centre provides a wide range of goods and services to a wide catchment area, as confirmed in more recent retail assessments and town centre health checks. Policy A2 seeks to focus new retail and office development in the town centre, helping to regenerate and

\(^{10}\) The DaSTS approach – Delivering a Sustainable Transport System 80 [Highways Agency]
strengthen it, in line with the SCS & HR&ES. Other policies in the Accrington AAP carry forward this strategy into a more detailed policy framework for the town centre to strengthen and enhance its role.

58. As for the other local centres, Policy A3 identifies Clayton-le-Moors and Oswaldtwistle as local centres which will be developed to provide a range of services to support their local communities. Although not covered by the Retail Study, they are an integral part of the retail hierarchy in Hyndburn, are included in the catchment area of more recent retail assessments, and have been subject to regular town centre health checks. Their proposed designation will continue their historic and current roles, with more detailed policies, including the extent of the centres and retail areas, being addressed in the SADPD & DMDPD.

59. Consequently, these policy elements will provide an appropriate, effective and soundly-based strategic framework for the future development of Accrington and its associated townships, reflecting key elements of the SCS, regeneration strategies and other local initiatives, and consistent with national policy in PPS4.

Brookside Business Centre

60. The CS proposes to release 7.96ha of land on the edge of this existing business area, formerly used for manufacturing chemicals and currently in the Green Belt, to accommodate a major regeneration project. Policy A5 envisages the development of a Sustainable Construction Centre, with a Country Park on the adjacent land, requiring a change to the Green Belt boundary. Supporting evidence in the Green Belt Topic Paper and elsewhere [CS_Supp4.2 & Post_2.19g] sets out the exceptional circumstances justifying the release of Green Belt land and confirms that it would not compromise the underlying purposes of the Green Belt. Previous chemical manufacture meant that the site was covered by various Hazardous Substances Consent and COMAH/HSE Consultation Zones, which have now been revoked. The site is also contaminated by a variety of chemical substances, but the extent of contamination and its remediation would be addressed as part of any redevelopment scheme. Although the scheme originally envisaged is currently on hold, the principles behind the project are soundly-based, and the release of Green Belt land is fully justified.

Huncoat

61. The proposals for Huncoat comprise three main elements: a strategic employment site at the former Huncoat Power Station; a major new housing site at the former Huncoat Colliery, currently in the Green Belt; and the Whinney Hill Link Road (WHLR), providing access to these sites between the A56 (Burnley Road junction) and Bolton Avenue in Huncoat. The basis, justification and evolution of these proposals are set out in the supporting evidence [Post_2.4/2.19g/4.9a]. They emerged following extensive consultation, including various alternative options, and are now strongly endorsed by the local community. HBC proposes several changes to the policies and accompanying text to update and clarify the position [CS42-52; 75; 77; 81; 85-86; 90].

62. The Huncoat strategic employment site originated in the HBLP (Site V) and is referred to in the Genecon study [CS_Supp2.5] and PLSG. It comprises the site of Huncoat Power Station, a site to the south with permission for employment uses, and land north of Altham Lane; totalling about 27.5ha. LCC have confirmed\textsuperscript{11} that they will not be proceeding with the Waste Technology Park

\textsuperscript{11} Infrastructure Topic Paper [CS_Supp4.4; ¶ 2.20]
at the Power Station site, following the failure to confirm the CPO for the site and the expiry of the planning permission. The JLM&WSADPD may allocate part of the site for built waste management facilities (Policy WM2/BWF8) [Post_2.4; Appx 7], but this allocation and any relevant criteria are for that plan to determine. The failure to refer to this possibility in the Hyndburn CS does not preclude such a proposal. The release of a small triangle of land north of Altham Lane from the Green Belt would establish a defensible long-term boundary and support the viability of the larger employment site. Access to the site would be via a new link road (WHLR – Phase 1) from the primary/motorway network, between Burnley Road-Altham Lane. As a major new employment-led development, this proposal would make a significant contribution to meeting Hyndburn’s future employment needs, and the wider needs of the sub-region.

63. HBC proposes to amend Policy A8 and the accompanying text to update the position [CS45/47/85-86]. The strategic employment site would be allocated for traditional employment uses within Classes B1, B2 & B8, with the possibility of some “enabling” development (subject to viability, mix of uses and scale). All former references to waste management development have now been deleted, and any further broadening of the scope and nature of proposed development would erode the underlying justification for this proposal as a strategic employment site, meeting both local and sub-regional employment needs. More detailed aspects of the development, including viability and the mix of uses, could be addressed in the development brief. The latest proposed amendments would ensure that the proposal reflects the latest position (including the JLM&WSADPD), provides some flexibility and is deliverable.

64. The new housing allocation at Huncoat Colliery is effectively a replacement for a site previously allocated in the HBLP at Central Huncoat. This site is no longer available, following HBC’s resolution to protect the land for open space12, reflecting strong views from the local community. Issues about the future of this land will be determined in the SADPD. Insufficient land exists within the existing urban area to provide for this scale of housing development (c.400 dwellings) without eroding existing environmental quality and open spaces. This strategic allocation is needed to ensure the Borough has sufficient housing land to meet its housing needs over the plan period, and to provide a large site, well located to provide for high-quality family homes. The need to make qualitative improvements to the housing market and provide “aspirational” housing within a high quality environment is a key objective of the PLMAA & Housing Strategy and the SHMA. This site is referred to in the PLSG, and would make a significant contribution to the quantitative and qualitative housing needs of Hyndburn, as well as complementing the proposed strategic employment site.

65. The site is currently in the Green Belt, and the Green Belt & Huncoat Topic Papers and other statements [CS_Supp4.2/Post_2.4/4.9a] outline the exceptional circumstances to justify releasing this Green Belt land and confirm that it would not compromise the functions of the Green Belt in this locality. The lack of sequentially preferable alternative sites within the urban area and the need to provide land for high quality houses are conclusive reasons justifying its release. The site is well located, with access via the WHLR (Phase 1), partly funded by the developers. As a former colliery, the site is likely to be subject to some development constraints and, although there are few deep mine shafts, landowners and prospective developers confirm that there are no overriding constraints to its development for housing.

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12 Resolution of Hyndburn BC Full Council [30 March 2010] [Post_2.4; Appx 5]
66. There are some concerns about potential noise disturbance from the nearby RSPCA animal centre, but there is no justification to remove the RSPCA centre and the surrounding land from the Green Belt at this stage. Sufficient mitigation could be provided by an appropriate buffer zone and other possible noise attenuation measures [CS44]. These and other details can be addressed in the SADPD/DMDPD and in the development brief. Consequently, the principle of developing the Huncoat Colliery site as a major new housing area, including the release of Green Belt land, is justified, deliverable, consistent with national and sub-regional policy, and soundly based.

67. Whinney Hill Link Road (WHLR) has its original basis in improving access to Whinney Hill Quarry, with its landfill/mineral extraction areas and brickworks, diverting heavy goods traffic out of Huncoat and the surrounding urban areas, as well as providing access to the strategic employment site at Huncoat. LCC undertook much work on this scheme, as part of its preliminary work on the Waste Technology Park, but following the abandonment of this project, the likelihood of this road being funded by LCC is remote\(^{13}\). Consequently, the link road is likely to be constructed in two phases, with Phase 1 (Burnley Road-Altham Lane) as a priority, providing access to the strategic employment and housing sites, with proportionate funding from the relevant developers. The development brief can consider the alignment of the link road at Altham Lane. Phase 2 of the WHLR would follow, and HBC intends to work closely with LCC and developers to develop a funding package to deliver this element. Since this part of the link road is not directly needed to access the strategic development sites, it does not need to be covered in detail in the development brief. The link road currently has planning permission and the CPO relating to Phase 2 was confirmed. Further details about implementation are given in Appendix 9, the Infrastructure Topic Paper and in the LTP Draft Implementation Plan [Post_2.30b].

68. The construction of the entire link road is likely to be challenging, particularly given its overall cost and viability and LCC’s stance on funding it. Nevertheless, it is an important project, with a reasonable prospect of implementation within the current plan period, particularly Phase 1, since the proposed strategic employment and housing sites cannot go ahead until this part of the link road is provided. HBC proposes to amend Policy A9 and the accompanying text to update the situation and correct an omission safeguarding Phase 2 of the WHLR on the Proposals Map [CS49-52; CS77; CS81]. These changes will ensure that the policy is clear, accurate, up-to-date, effective and deliverable.

69. Consequently, with the proposed amendments, the CS will provide a soundly based policy framework for the implementation of the proposed strategic employment and housing sites at Huncoat and the related link road.

**Great Harwood**

**Issue 7 – Does the Core Strategy provide an appropriate, effective and soundly based framework for Great Harwood, including:**
- the amount and proportion of new housing development;
- the amount and balance of new employment and housing development;
- the role and status of Great Harwood as a market town

70. The spatial strategy proposes modest growth at Great Harwood, consistent with its size and location. Policy GH1 indicates that about 15% (480 dwellings) of Hyndburn’s total housing provision will be in Great Harwood. This is a free-
standing settlement, surrounded by the Green Belt, with about 14% of the Borough’s population and a range of shops, social and community facilities serving the day-to-day needs of local residents. The amount of proposed housing seems appropriate, and reflects the size, population and facilities of the town, particularly given the range of potential redevelopment opportunities identified in the SHLAA & ELS. It would also help to sustain local services. Deliverability should not be at issue, since the SHLAA identifies potential sites for over 1,000 dwellings within the town.

71. Policy GH2 sees Great Harwood developing as a historic market town, supporting new retail and town centre uses of an appropriate scale within the town centre. This reflects its historic role as a market town, and enables it to continue to serve the day-to-day needs of local residents and its immediate rural surroundings. The Retail Study confirms that the town has a broad range of goods, services and uses, and its important role in serving the existing and surrounding population; two new supermarkets will help to strengthen its convenience food retailing provision, as confirmed in more recent retail assessments. Based on an assessment of its vitality and viability, the Retail Study recommended its designation as a district centre, but it is more akin to a market town and smaller “town centre” designation in terms of PPS4, which is more appropriate. This designation will also help to strengthen and regenerate the town centre, in line with the SCS and HR&ES [CS_Supp3.9].

72. There is some concern about the need to make the most of Great Harwood’s potential and avoid constraining its future growth, along with concerns about displacing local businesses as a result of redeveloping existing employment sites for housing. However, the text accompanying Policy GH1 clearly recognises its relationship with the rest of Hyndburn, its accessibility to nearby towns, and the constraints of the Green Belt. The SHLAA & ELS identify the scope for a significant amount of new housing as well as employment development in the town, which, along with other site-specific issues, will be addressed in the SADPD. Contrary to some suggestions, the extent of change envisaged for the town would not meet the criteria for an AAP set out in PPS12.

73. Consequently, these policies will provide an appropriate, effective and soundly-based strategic framework for the future development of Great Harwood.

**Rishton**

**Issue 8 – Does the Core Strategy provide an appropriate, effective and soundly based framework for Rishton, including:**

- the amount and proportion of new housing development;
- the role and status of Rishton as a local centre

74. The spatial strategy also proposes modest growth at Rishton, consistent with its size and location. Policy R1 indicates that about 10% (320 dwellings) of Hyndburn’s total housing provision will be in Rishton. As a small, self-contained settlement, with about 8.5% of the Borough’s population, surrounded by Green Belt and physically separate from the other main towns, this provides a reasonable amount of new housing, reflecting the size, population and facilities of the town. Although the surrounding Green Belt restricts its expansion, there are potential opportunities for new development related to derelict and under-used land and premises adjoining the Leeds & Liverpool Canal, as shown in the SHLAA & ELS and highlighted in Policies R1 & R3. As regards deliverability, the SHLAA identifies sites for over 300 dwellings in Rishton, and the SADPD will identify the specific sites needed to meet its target provision.
75. Policy R2 aims to strengthen and enhance Rishton as a local centre, providing key services to the local community. The Retail Study confirmed that it was a viable and vital centre with a clear role to play in serving the day-to-day needs of its local community. Although it is the smallest local centre in Hyndburn in terms of the amount and range of goods and services, it has good transport links to the M65 and larger centres such as Accrington, and its designation as a local centre is wholly appropriate.

76. Consequently, these specific policy elements provide an appropriate, effective and soundly-based strategic framework for future development in Rishton.

**Knuzden & Whitebirk**

**Issue 9 – Are the proposals for the Whitebirk Strategic Employment site effective, deliverable, fully justified and consistent with other plans and strategies, including the possible future extension of the Whitebirk employment site in the longer term?**

77. Policy KW1 proposes the development of a 35ha greenfield site close to the M65 (J6) at Whitebirk (also known as Lantern Park) as a Strategic Regional Employment Site for higher-value business development. This site was originally identified for employment uses in the HBLP (Site U), and was also identified by NWDA as a Strategic Investment Site of regional significance. It is a priority for Pennine Lancashire, both in the PLMAA & Economic Strategy and, as the sub-region’s largest employment site, is highlighted as a key spatial intervention for economic regeneration in the PLSG. An outline planning application was submitted in 2003, with resolutions to approve subject to a S106 agreement, now close to completion. HA was originally concerned about motorway/junction capacity, but now confirms that 88% of the site can be developed initially. Public transport improvements are needed, but there are no major funding or planning constraints or external infrastructure issues, and development could commence within the first 5 years of the plan period.

78. Although this is a site of strategic/regional importance, it would also contribute to meeting Hyndburn’s employment land needs, with an allowance of 25% of the site area being made. The site lies on the border of Blackburn with Darwen, which would benefit in similar terms, and the approach is consistent with that in the BwDCS. HBC has addressed cross-boundary issues, and has close working relationships with BwDBC, LCC & HA. Consequently, the principle of this strategic development proposal is soundly based and deliverable, and carries forward a similar proposal in the HBLP and a key priority for Pennine Lancashire, with a realistic prospect of commencement in the early part of the plan period.

79. The CS also refers to the possibility of further employment development in this area ("Whitebirk 2"), originating in the PLMAA and included in the PLSG. Earlier versions of the CS identified this as a potential future strategic site for large-scale employment, but this was strongly opposed by the local community, particularly due to the impact on the Green Belt between Blackburn and Rishton. The submitted CS makes no commitment to this proposal and does not expect it to come forward during the current plan period; nor is the site needed to meet current employment land requirements. Much more work is needed before the most appropriate location for a further strategic employment site in Pennine Lancashire can be identified, including assessing the future long-term sub-regional need for additional prestige employment sites and alternative locations, along with transportation, environmental, Green Belt and landscape issues, as confirmed in the CS [¶ 5.67] and PLSG [Post_2.20; ¶ 4.12-4.14].
80. Although there is no certainty that this site will come forward, the CS is right to refer to this longer-term possibility and highlight the further work needed, reflecting the PLMA & PLSG and the approach adopted in the BwDCS. There is certainly no justification to ignore or rule out this possibility, as urged by some local residents and members. Consequently, the approach of the CS to the possibility of this future development in the longer term is realistic and reasonable, and is justified and soundly based.

**Rural areas**

**Issue 10 - Does the Core Strategy provide an appropriate, effective and soundly based framework for the rural areas of Hyndburn, including:**

- limiting new housing development to local needs in rural settlements;
- the removal of Green Belt land to provide an extension to the Altham Business Park

81. Policy RA1 seeks to limit new housing development in the rural settlements to meeting local needs. This reflects the spatial strategy, which directs most development to Accrington and its townships, along with Great Harwood and Rishton, and makes no allowance for new housing in the rural settlements. The SHMA confirms that only 1.5% of households in Hyndburn live in the rural areas and did not identify a particular housing need. Some of the rural settlements lie within the Green Belt, whilst others are covered by a countryside designation and have a limited range of services and facilities. The SHLAA excluded all potential housing sites at these rural settlements, due to these constraints. Further details about the criteria and requirements to establish “local need” will be addressed in the DMDPD. Consequently, this provides an appropriate and sound policy context for new development in the rural areas of Hyndburn.

**Altham Business Park**

82. Policy RA3 proposes a small-scale extension to this existing business park, by releasing 5.27ha of land, currently in the Green Belt, to enable the expansion of existing businesses, namely What More UK. Supporting evidence in the Green Belt Topic Paper and elsewhere [CS_Supp4.2 & Post_2.19g] sets out the exceptional circumstances justifying the release of Green Belt land and confirms that it would not compromise the underlying purposes of the Green Belt. Further justification about the specific needs of this business, related to the current planning application, are also provided [Post_4.13]. No other land or options are available for this business to expand within the existing business park, and this allocation would help the firm consolidate its activities here. Policy RA3 recognises the importance of the existing business park and the specific needs of this successful company, in line with national policy in PPS4 (EC2.1b). It also reflects more recent Government policy on Planning for Growth. Consequently, this is a soundly-based proposal.

**Monitoring and Implementation**

**Issue 11 – Are the arrangements for monitoring the policies of the Core Strategy adequate, effective and soundly based, including the indicators, baseline information, delivery mechanisms, phasing, timescales, key elements of infrastructure and targets/milestones used, and does the Core Strategy provide sufficient flexibility and circumstances for review?**

83. Appendix 2 of the CS sets out a monitoring framework for each of the CS policies, including specific indicators to be used in the Annual Monitoring Report (AMR). These indicators are grouped in terms of the themes of each policy,
including some cross-cutting themes such as climate change, and include specific indicators to measure performance. HBC proposes to simplify this monitoring framework, reducing the number of indicators and making it more concise and effective. Although not fundamental to soundness, this change makes the monitoring of the CS more effective and reflects the withdrawal of national guidance on LDF Monitoring and Core Output Indicators.

84. Chapter 6 of the CS covers the phasing, delivery and implementation of the strategy, dividing the 15-year plan period into three 5-year phases and listing the major developments expected to take place. Appx 9 sets out how each of the policies will be delivered, with key delivery partners, and includes funding, risk and contingency sections, which set out the factors that may affect the delivery of the strategy. This is to be updated, to reflect the changes to the CS policies [CS68-77]. Further details can be found in the Infrastructure Topic Paper [CS_Supp4.4], including a phasing programme setting out key elements of infrastructure, requirements, capacity and funding. Appx 4 also contains an amended housing trajectory [CS65], to be updated annually through the AMR.

85. The CS provides sufficient flexibility by drafting key policies in a way which recognises the changing economic climate and the importance of viability, particularly for affordable housing. More specific policies (such as at Huncoat) recognise the need to be flexible about the precise mix of land-uses. Work undertaken for employment and housing confirms that a range of land supply could be provided, depending on future needs, whilst the subsequent SADPD will consider the suitability and deliverability of specific sites. Appx 4 includes a commitment to review the CS at the end of each 5-year phase, and HBC proposes to make this more explicit in the introductory text of the CS.

86. Consequently, the arrangements for monitoring and implementing the CS are effective, clearly set out and soundly based, and apart from the changes already mentioned, require no further amendments in the interests of soundness.

Other matters

87. Other matters were raised in the representations and at the hearing sessions which do not go to the heart of the soundness of the CS. In many cases, they suggest “improvements” to the plan, particularly in terms of the clarity and coherence of the strategy and policies. In response, HBC proposes several minor changes to the text of the policies and accompanying text, which are set out in Appendix B1. These require no comment from me, other than to generally endorse them in the interests of coherence, clarity and accuracy. Having considered all the other points raised in the representations and made during the hearing sessions, there are no further changes needed to ensure that the CS is sound in terms of the requirements in PPS12 and associated guidance.

B. ACCRINGTON AREA ACTION PLAN

Overview

88. The Accrington AAP is an impressive document, which sets out an ambitious strategy for the regeneration of the town centre. It carries forward the overall strategy in the CS and sets out a more detailed framework for the spatial development of the town centre, including policies and proposals for specific areas and sites. Section 2 of the AAP sets out the policy influences, including the strategies and plans at Pennine Lancashire level, and shows how it will be a key tool in delivering these objectives. Although no responses were received
from former GONW/4NW on the Publication version of the AAP, it reflects many of the key policies in the NWRSS (including those relating to regeneration) and is in general conformity with this document and with the strategy of the CS. The AAP has been subject to extensive consultation and Sustainability Appraisal at all stages of its preparation [AAAP_Sub1.3-1.4], and mitigation measures have been addressed or will be reflected in subsequent development briefs.

Main Issues

89. Taking account of the limited number of representations, written evidence and the discussions at the examination hearings, there are four main issues upon which the soundness of the plan depends.

VISION AND OBJECTIVES

Issue 1 – Do the Vision and objectives clearly set out the strategy and spatial pattern of development in Accrington and contain sufficient local and spatial distinctiveness, reflecting the full range of key issues and objectives, consistent with the vision, priorities and policies of the Core Strategy?

90. Part A of the AAP sets out a clear vision of the future strategy and spatial development pattern for Accrington, reflecting the overriding principles, objectives and outcomes of the SCS, as well as the vision and objectives of the CS. It also sets out a series of six aims/objectives, including specific and locally distinctive measures relevant to Accrington, reflecting the key issues identified. These objectives emerged through an extensive period of consultation with the local community, businesses and other stakeholders, during which several options were considered. The proposed spatial pattern of development focuses on directing development to particular sites, largely based on improving the town centre environment and making it more attractive to businesses and investment through a range of regeneration initiatives. In response to some concerns, HBC confirms that the plan gives sufficient emphasis to promoting more sustainable forms of transport, including walking and cycling, addressed in specific aims, objectives and policies. Consequently, the vision and objectives set out in the AAP are soundly based.

POLICIES

Issue 2 - Do the Policies in the Accrington AAP provide an appropriate, effective, deliverable and soundly based framework for future development in Accrington town centre, including:

- the range of uses within the town centre, including employment development and housing;
- urban design, environmental quality and historic environment;
- transport and access;
- town centre management, and
- infrastructure provision and flood risk

91. The AAP sets out a range of key policies for the town centre, most of which are unchallenged in the representations. Policy ATC1 seeks to strengthen and enhance the retail offer within the town centre, specifically providing for additional comparison and convenience retailing. This reflects its status as the principal retail centre, confirmed in the CS, which is supported by the Retail Study [CS_Supp3.11], and is consistent with PPS4 (EC3.1b). However, the policy does not preclude other uses in the town centre (including offices, leisure, other employment uses and housing), which are addressed in later policies.
92. **Policy ATC2** seeks to control the amount of non-retail uses in various types of frontages, helping to strengthen retail provision in the town centre. The identification of Primary and Secondary retail areas/frontages focuses on the main shopping areas, in line with PPS4 (EC3.1c). The limitation on non-A1 uses (including Class A5 hot-food takeaways) continues similar policies in the HBLP (Policies R2/R6). However, HBC proposes to clarify the submitted policy [A28], to make it more effective and thus sound. In response to concerns about the possible need to extend the Primary Retail Area (PRA) to enable the Arndale Centre to expand, HBC confirms that the area in question (around Eastgate) is not currently within the PRA, but if firm proposals are submitted, approved and built, there could be some merit in extending the PRA in the future. The town centre policies do not prevent the future extension of the Arndale Centre, and AAP Policy AQ2 would provide some support for this eventuality.

93. **Policy ATC7** supports residential development on suitable sites (including those identified in the AAP). The CS indicates that Accrington and its townships should provide 75% of the total housing provision in Hyndburn, but the AAP gives no indication of the likely scale of housing development within its area. Several housing sites have already been completed (eg. La De Das club), and others are identified in the AAP. The SHLAA estimates that over 350 dwellings could be provided within the town centre on identified sites [Post_5.6], but to include this estimate in the AAP might be unduly prescriptive for subsequent development briefs, which will address the capacity/density of specific sites in more detail. Affordable housing will be provided in the context of CS Policy H2.

94. **Policies ATC19-20** deal with car and cycle parking, with the aim of maximising opportunities for parking and developing a route/parking strategy, supported by LCC. The AAP has addressed the impact of development proposals on existing parking provision, and the policies and accompanying text explain the approach, including provision to offset parking losses elsewhere, such as at the new Tesco store. The SA assessed the transport and access policies, and subsequent development briefs will consider parking provision, as well as other provision and constraints. Chapter 8 of the AAP addresses transport and access matters in detail, and although it has not specifically undertaken a detailed assessment of the transport impact of all allocations, this is unnecessary since all major developments would be subject to individual transport assessments.

95. **Policies ATC22-23** address infrastructure provision and set out the arrangements for contributions by developers to infrastructure costs. HBC confirms that no major new infrastructure is needed to enable the proposed development within the AAP area to be delivered; most is incremental provision to serve particular sites. A new bus station is proposed, as part of general improvements to public transport infrastructure and the Pennine Reach project.

96. Flood risk is an issue in the town centre, since several culverts and watercourses pass through it, including the River Hyndburn. The AAP recognises that new development will need to avoid increased risk of flooding and that parts of the town centre lie within Flood Zones 2 & 3; several of the allocated sites lie within these flood risk zones. HBC completed a Level 1 SFRA during the preparation of the CS & AAP [CS_Supp3.28-3.29], but at Publication stage, the Environment Agency raised concerns about flood risk matters, particularly about specific areas and the deliverability of some allocated sites. Consequently, HBC has undertaken some further work on flood risk, with the assistance and positive cooperation of the Environment Agency, including a recent Flood Risk Issues Report [Post_2.23].
97. As a result of this work, former Policy ATC23 in the Publication version of the AAP is to be deleted, and replaced by a new policy which more accurately sets out the position in terms of flood risk and drainage [A35]. Several amendments are also needed to the details of specific site allocations, related to the sequential “exception” test for sites within flood risk areas and the implications of nearby culverts and watercourses, along with an updated Flood Risk Map (Fig 19) [A14-16; A39-55]. With these amendments, the AAP fully reflects national policy in PPS25 and there are no outstanding issues raised by the Environment Agency. These are important amendments, to ensure that the AAP properly addresses flood risk issues and is consistent with national policy.

98. Further amendments to other policies and accompanying text are largely minor, reflecting new information and updating or correcting the position. They include minor changes to refer to coal mining legacy issues and ground instability [A17], but the safeguarding of coal resources is largely a matter for LCC’s M&WDF. With these further proposed changes, the policies in Section B of the AAP are fully justified and will be effective, deliverable and sound.

SPATIAL QUARTERS

Issue 3 – Do the policies and proposals for the Spatial Quarters clearly identify the distribution of land-uses and their inter-relationships, including specific site allocations, and set out the timetable for implementation; and is the approach to proposing development in flood zone areas appropriate, soundly based, deliverable, justified and consistent with national policy in PPS25?

99. Few representations refer to the policies for the seven Spatial Quarters set out in the AAP. These policies complement the overall strategy, including plans that illustrate the distribution and inter-relationship of land uses for each quarter, including specific site allocations. However, HBC proposes to amend the Proposals Map [A58], in order to improve the clarity and clearly identify the boundaries of individual site allocations, and ensure that these policies are sound and that the proposals are portrayed accurately.

100. Several further amendments are needed to the details and requirements for specific site allocations. These include references to flood risk zones, mitigation measures to fully reflect flood risk requirements, removal of Site 32 (and extending the green space notation over this site), and the need for development on Sites 4, 16 & 23 to make adequate provision for safe access and egress to sites during times of flooding. Fig 19 is to be replaced with an updated map of flood zones, and other amendments to the text address the implications of culverts passing under or near specific sites (including the Arndale Centre and Sites 34 & 35). These amendments [A14-16; A39-55] stem from the more recent detailed work undertaken on flood risk assessment (see above), and would ensure that these specific site allocations properly reflect flood risk requirements in national policy (PPS25), and that the associated policies are effective and deliverable, and are soundly based.

MONITORING & IMPLEMENTATION

Issue 4 – Are the arrangements for monitoring the policies and proposals of the Accrington AAP adequate, effective and soundly based, including the indicators, baseline information, delivery mechanisms and agencies, timescales and targets/milestones used, and does it provide sufficient flexibility?
101. Part D of the AAP sets out details of monitoring and implementation of the plan’s proposals. Several changes have been made to this part of the AAP, including changes to public sector funding sources. HBC proposes to update and clarify the accompanying implementation and phasing table \([A56-57]\), which will ensure that the arrangements for implementing the AAP’s proposals are more effective and accurate, and soundly based.

102. Section 12 of the AAP sets out the mechanisms for delivering the plan’s proposals, identifying key groups and stakeholders already involved in delivering the regeneration of the town centre. The AAP’s projects are listed under four headings, identifying the early actions needed for those in Phase 1, along with potential funding and phasing. This section of the AAP also identifies the significant challenges to future delivery, with potential risks and measures to mitigate them. Sufficient flexibility is provided in the range of uses identified as appropriate to the town centre, reflecting national guidance in PPS4, to ensure that the AAP can deal with possible changes during the plan period. The “Masterplan” for Accrington town centre, adopted by HBC in July 2008, provides the context for the AAP and remains a material consideration when determining planning applications \([A36]\).

103. Consequently, with the further amendments proposed to the AAP, the plan is effective, deliverable and soundly based, fully meeting the requirements of national policy in PPS12. No further changes relating to the soundness of the plan are needed to address other points raised in the representations.

**Legal requirements**

104. The examination of the compliance of the CS & Accrington AAP with the legal requirements is summarised in the table below, and confirms that the CS & Accrington AAP meet them all.

<table>
<thead>
<tr>
<th><strong>LEGAL REQUIREMENTS</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Local Development Scheme (LDS)</td>
<td>The Core Strategy &amp; Accrington AAP are identified within the approved LDS (April 2011) ([CS_Supp3.4]), which sets an expected adoption date of March 2012. The content and timing of the CS &amp; AAAP comply with the LDS ([CS_Sub1.9/AAAP_Sub1.5]).</td>
</tr>
<tr>
<td>Statement of Community Involvement (SCI) and relevant regulations</td>
<td>The SCI ([CS/AAAP_Sub3.1]) was adopted in September 2006. Consultation has complied with the requirements therein, including consultation and engagement during the process of preparing the CS &amp; AAAP ([CS_Sub1.9/AAAP_Sub1.5]).</td>
</tr>
<tr>
<td>Sustainability Appraisal (SA)</td>
<td>SA has been carried out at all stages during the preparation of the CS &amp; AAAP ([CS_Sub1.5-1.8/AAAP_Sub1.3-1.4]), including details of how the SA influenced the final plans, and is adequate ([CS_Sub1.9/AAAP_Sub1.5]).</td>
</tr>
<tr>
<td>Appropriate Assessment (AA)</td>
<td>The Habitat Regulations AA Screening Reports set out why AA is not necessary ([CS_Supp3.6/AAAP_Supp1.1]).</td>
</tr>
<tr>
<td>National Policy</td>
<td>The CS &amp; AAAP generally have regard to national policy, except where indicated.</td>
</tr>
</tbody>
</table>

- 26 -
Regional Strategy | The CS & AAAP are in general conformity with the North-West Regional Spatial Strategy
---|---
Sustainable Community Strategy (SCS) | Satisfactory regard has been paid to the SCS [CS_Supp3.1]. The CS & AAAP have aligned the key spatial planning objectives, vision and objectives with those of the SCS
2004 Act and Regulations (as amended) | The CS & AAAP comply with the Act and the Regulations, including the arrangements for publication and consultation, and making available the necessary documents.

**Overall Conclusion and Recommendation**

105. I conclude that with the changes proposed by the Council, set out in Appendices A1 & A2, the Hyndburn Core Strategy & Accrington Area Action Plan DPDs satisfy the requirements of s20(5) of the 2004 Act and meet the criteria for soundness in PPS12. I therefore recommend that the plans be changed accordingly and, for the avoidance of doubt, I also endorse the Council’s proposed minor changes, set out in Appendices B1 & B2.

*Stephen J Pratt*

Inspector

This report is accompanied by:

Appendix A1 – Schedule of Council’s Proposed Changes required to make the Core Strategy sound

Appendix A2 – Schedule of Council’s Proposed Changes required to make the Accrington AAP sound

Appendix B1 – Schedule of Council’s Proposed Minor Changes to the Core Strategy

Appendix B2 – Schedule of Council’s Proposed Minor Changes to the Accrington AAP